

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Louis Boy Winters,

Court File No.: 13cv214 (MJD/SER)

Plaintiff,

v.

**ORDER**

U.S. Dept. of Justice;  
FBOP-Branch FCI Sandstone, and  
Scott Fisher,

Defendants.

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The above-captioned case comes before the undersigned on the Report and Recommendation of United States Magistrate Judge Steven E. Rau. Plaintiff has filed an objection. The Court has conducted a *de novo* review, and based on that review, the Court will adopt the Report and Recommendation dated May 30, 2013.

Accordingly, **IT IS HEREBY ORDERED** that:

1. Plaintiff's application to proceed *in forma pauperis*, (Docket No. 2) is **DENIED AS**

**MOOT**; and

2. This action is **DISMISSED WITHOUT PREJUDICE**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: June 26, 2013

s/ Michael J. Davis

Michael J. Davis  
Chief Judge  
United States District Court